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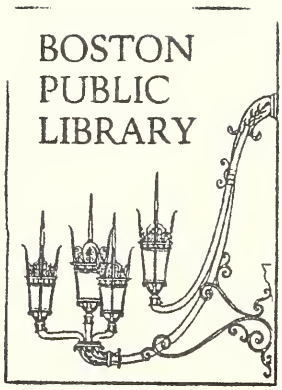
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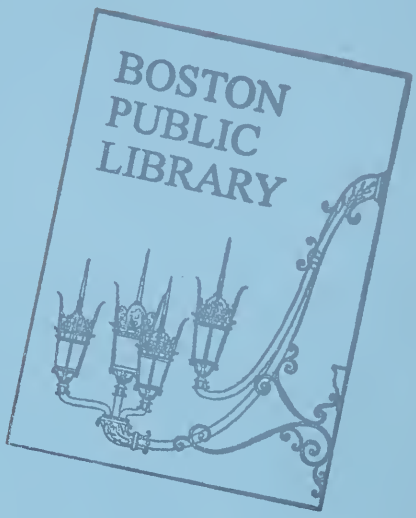

central business district urban renewal plan

BOSTON
REDEVELOPMENT
AUTHORITY

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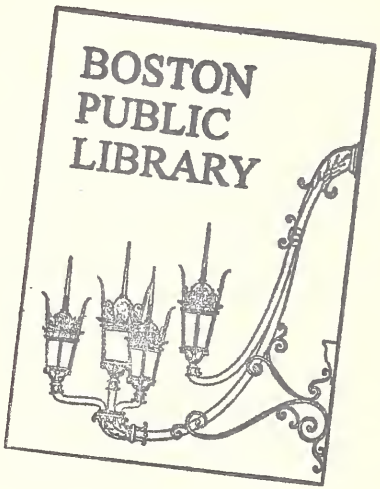
URBAN RENEWAL PLAN

CBD - SCHOOL-FRANKLIN URBAN RENEWAL AREA

Project No. Mass. R-82A



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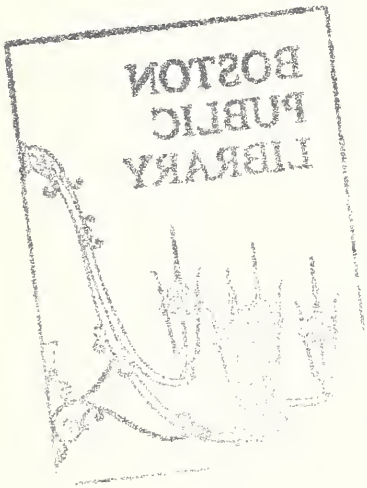
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CHAPTER I: DESCRIPTION OF PROJECT

Section 101: Project Boundary

Project boundaries are shown on Map I - Property Map

Section 102: Project Boundary Description

The School-Franklin Area of the Central Business District Urban Renewal Project is bounded and described as follows:

Beginning at the intersection of the northerly property line of the Old State House and the easterly sideline of Washington Street;

Thence running in a westerly direction along the extended southerly sideline of Court Street to a point of intersection of said sideline with the extended easterly property line of City Hall Annex;

Thence turning and running in a southwesterly direction along the said extended easterly property line of City Hall Annex to a point of intersection of said property line extended with the northerly property line of City Hall;

Thence turning and running in a northwesterly direction along the northerly property line of City Hall to a point of intersection of said property line with the westerly property line of City Hall;

Thence turning and running in a southwesterly direction along the westerly property line of City Hall extended to a point of intersection of said property line with the southerly sideline of School Street;

Thence turning and running in a southeasterly direction along the southerly sideline of School Street to a point of intersection of said sideline with the westerly sideline of Province Street;

Thence turning and running in a southwesterly direction along the westerly sideline of Province Street to a point of intersection of said sideline with the extended southerly sideline of Province Court;

Thence turning and running in a southeasterly direction along the extended southerly sideline of Province Court to a point of intersection of said sideline with the westerly sideline of Ordway Place;

Thence turning and running in a southwesterly direction along the westerly sideline of Ordway Place to a point of intersection of said sideline with the southerly sideline of Ordway Place;

Thence turning and running in a southeasterly direction along the southerly sideline of Ordway Place to a point of intersection of said sideline with the westerly sideline of Washington Street;

Thence turning and running in a southwesterly direction along the westerly sideline of Washington Street to a point of intersection of said sideline with the extended southerly sideline of Franklin Street;

Thence turning and running in a southeasterly direction along the extended southerly sideline of Franklin Street to a point of intersection of said sideline with the intersection of the easterly sideline of Hawley Street;

Thence turning and running in a northeasterly direction along the extended easterly sideline of Hawley Street to a point of intersection of said sideline with the southerly sideline of New Hawley Place;

Thence turning and running in a generally southeasterly direction along the southerly sideline of New Hawley Place extended to a point of intersection with the easterly sideline of Arch Street;

Thence turning and running in a northerly direction along the easterly sideline of Arch Street to a point of intersection with the extended northerly property line of the New Raymond's Parcel;

Thence turning and running in a generally westerly direction along the extended northerly property line of the New Raymond's Parcel to a point of intersection with the easterly sideline of Washington Street;

Thence turning and running in a northeasterly direction along the easterly sideline of Washington Street to a point of intersection with the northerly sideline of Milk Street;

Thence turning and running in a southeasterly direction along the northerly sideline of Milk Street to a point of intersection with the westerly corner of the Old South Meeting House;

Thence turning and running in a northeasterly direction along the westerly outside face of the building line of the Old South Meeting House to a point of intersection with the southerly outside face of the main Washington Street entrance of the Old South Meeting House;

Thence turning and running in a northwesterly direction along the southerly outside face of the main Washington Street entrance of the Old South Meeting House to a point of intersection with the easterly sideline of Washington Street;

Thence turning and running in a generally northerly direction along the easterly sideline of Washington Street to a point of intersection with the northerly property line of the Old State House, which is the point of beginning.

CHAPTER II: OBJECTIVES SF

Section 201: Basic Objectives

The basic objective of urban renewal action in the School-Franklin Urban Renewal Project Area is to eliminate blighted conditions, deterioration, obsolescence, traffic congestion, incompatible land uses, and other environmental deficiencies in order to facilitate sound development and orderly growth. Specific objectives to meet the basic objective are:-

1. To stimulate the rehabilitation and renewal of the Central Business District as a stable part of the City of Boston and as its major commercial and business center;

2. To insure that the Project Area is compatible in function and design with the neighboring Government Center and Waterfront Areas;

3. To promote and expedite public and private development and investment in the area through new commercial facilities and the improvement of public utilities and services;

4. To strengthen and expand the real property tax base within the area;

5. To facilitate the efficient use of land within the area for commercial, business and public purposes;

6. To improve the basic traffic circulation system in the area and to eliminate conflicts between pedestrians, trucks and automobiles;

7. To initiate a more efficient central distribution system.

Section 202: Planning Objectives

Planning objectives of the project include the following:-

1. To provide increased accessibility within the area for vehicular traffic and pedestrians;

2. To eliminate, to the maximum extent feasible, conflict between free flowing traffic, pedestrian movement and on-street truck servicing;

3. To provide the basis for a stabilization of property values and to encourage rehabilitation of existing real property so as to prevent a decline in the standards throughout the area; at the same time, through selective redevelopment, to provide the opportunity for new investment and thereby encourage economic growth;

4. To adjust obsolete block, parcel and street patterns which hinder new development by private enterprise;

5. To promote the preservation of historic buildings in the area;

6. To expand the unique characteristics of the area as an attraction for visitors, by improving the setting for the historic buildings and by improving the environment for pedestrians and shoppers;

7. To remove deteriorated, substandard and dilapidated buildings and structures which blight the area and inhibit new investment;

8. To prevent future obsolescence, deterioration and congestion;

9. To encourage increased acceptance of mass transit within the area by station modernization and appropriate location of entrances and exits;

10. To provide special street improvements and other facilities for implementing a new central distribution system for the CBD.

Section 203: General Design Objectives

The design objectives for reuse in the Project Area are as follows:-

1. To recognize the special significance of the urban nature of the built-up Central Business District and to enhance its character by:

   (a) The creation of public open spaces, scaled to the dense character of downtown and well located with respect to shoppers, workers and visitors to the area;

   (b) The encouragement of buildings of a multi-story and multi-use nature, built close to the street lines so as to maintain the urban environment;

   (c) The recognition by special treatment in the design of abutting buildings of the unique nature of historic sites within the district such as the Old South Meeting House and the Old Corner Book Store.

2. To place special emphasis on preserving and extending the pedestrian amenities of downtown Boston by:-

   (a) The creation of pedestrian areas to improve the environment for shoppers, workers, and visitors;

(b) The provision of easy and pleasant pedestrian connections within the Project Area and adjacent areas such as the Government Center, Waterfront and Beacon Hill;

(c) The provision of a system of varied and lively pedestrian paths both through and between development sites which can give ready access to ground floor commercial enterprises of all types;

(d) The regulation of access to off-street parking and loading areas to reduce conflict between pedestrians and vehicles and at the same time to allow more efficient functioning of the street system.

3. To encourage diversity in construction and in land use provided that respect for neighboring properties and the urban environment is maintained.

Section 204: Specific Building Design Objectives

The Old Corner Book Store properties are low structures of small scale detail. New construction facing and abutting these buildings must physically respect their size and scale and form a visual transition to larger adjacent structures, both existing and proposed.

Washington Street, the main path north to Government Center, should be strengthened visually and its form and curvature should not be weakened by the introduction of building plazas on Washington Street. The lines of buildings along the street should reinforce the swing of the street from open space to open space. Arcading the commercial frontage will emphasize this direction as well as providing pedestrian comfort.

CHAPTER III: PROPOSED RENEWAL ACTIONS

Section 301: Proposed Types of Renewal Actions

Proposed types of renewal actions within the Project Area will consist of a combination of clearance and redevelopment activities; changes in land use; provision of public improvements and public facilities; rights-of-way and utilities changes; zone district changes and rehabilitation activities.

Section 302: Clearance and Redevelopment Activities

Clearance and redevelopment activities will include:-

(1) The acquisition of real property;
(2) The management of acquired property;
(3) The relocation of the occupants thereof;
(4) The clearance of land and buildings;
(5) The installation, construction and reconstruction of improvements;
(6) The disposition of land and other property for uses in accordance with the land use and building requirements and other provisions of the Urban Renewal Plan; and
(7) Design review and enforcement of provisions of Land Disposition Agreements.

Section 303: Rehabilitation Activities

Rehabilitation activities may include, but are not limited to:-

1. The systematic enforcement of rehabilitation standards set forth in Chapter VIII;

2. The acquisition and disposition of real property which is not made to conform to the rehabilitation standards of the plan;

3. The acquisition and disposition for rehabilitation of real property in accordance with the land use requirements and rehabilitation standards set forth in the plan.

Section 304: Preservation of Historic Structures

Four properties of historic and architectural significance are proposed for preservation in accordance with Chapter VIII hereof.

Section 305: Public Improvements

Public improvements will include, as necessary, the abandonment, provisions, improvement, extension, construction, reconstruction and installation of public buildings, open space, rights-of-way, streets, pedestrian ways, new tree planting and utilities, such as water, sewers, traffic and street lighting systems, police and fire communication systems, mass transit facilities and distribution systems in order to carry out the provisions of the Urban Renewal Plan.

The location of buildings, open space and rights of way shall be substantially as shown on Map 2 - Proposed Land use. Streets and public utility changes shall be such as to conform generally to the rights-of-way shown on the Proposed Land Use Map.

CHAPTER IV: LAND ACQUISITION

Section 401: Property to be Acquired for Clearance and Redevelopment

The Boston Redevelopment Authority may acquire property that is designated as property for clearance and redevelopment on Map 1 - Property Map.

Section 402: Property to be Acquired for Failure to Rehabilitate

The Authority may acquire any property in the Project Area not acquired under Section 401 if such property is not made to conform to the rehabilitation standards set forth in Chapter VIII. Such an acquisition can be made only upon a finding that the owner thereof has failed to conform to the rehabilitation standards set forth in Chapter VIII and that either the property is blighted, decadent, deteriorated or deteriorating, or constitutes a non-conforming, incompatible, or detrimental land use according to the provisions of the Urban Renewal Plan.

Section 403: Property to be Acquired upon Special Conditions

The Authority may acquire any property in the Project Area not acquired under Section 401 if:

1. Renovations are undertaken which substantially change the height, bulk, or exterior appearance of any structure located on the property;

2. The property is cleared and used for surface parking; or

3. A structure on the property is substantially rebuilt or a new structure is built which does not conform to the requirements set forth in Section 607, Paragraphs A, B, and C.

Such acquisition can be made only upon a finding that such conditions have been satisfied and that either the property is blighted, decadent, deteriorated or deteriorating, or constitutes a non-conforming, incompatible, or detrimental land use according to the provisions of the Urban Renewal Plan.

Section 404: Use of Property Acquired under Special Conditions

The Boston Redevelopment Authority may, where necessary, conduct clearance and redevelopment activities, or sell or lease for redevelopment, renewal or rehabilitation, or make any other lawful use and disposition of all or any portion of property which it has acquired under Sections 402 and 403. Where such property is sold or leased for redevelopment, the Authority shall establish controls relating to land use and building requirements in conformity with objectives and design principles of the Urban Renewal Plan and consistent with the requirements and controls imposed upon similar property by the provisions of the Urban Renewal Plan.

CHAPTER V: INTERIM USE OF ACQUIRED PROPERTY SF

Section 501: Interim Use of Acquired Property

The Boston Redevelopment Authority may devote property acquired under the provisions of this plan to temporary use prior to the time such property is needed for redevelopment. Such uses may include, but are not limited to project office facilities, parking, relocation purposes, public transportation or recreational uses, all in accordance with such standards, controls and regulations as the Authority may deem appropriate.

CHAPTER VI: LAND USE AND BUILDING REQUIREMENTS SF

Section 601: Land Use Plan

The use of land in the Project Area shall be as shown on Map 2 - Proposed Land Use Plan - which indicates proposed land uses and rights-of-way.

Section 602: Land Use and Building Requirements

A. General

1. The use and development of land and improvements shall be in accordance with the requirements of this Chapter.

2. The Boston Redevelopment Authority may subdivide disposition parcels as appropriate. In the event of subdivision, the permitted uses will be applicable to sub-parcels and parking requirements will be divided as appropriate.

3. The provisions of this Chapter shall apply to all disposition parcels unless specifically excepted.

4. Use controls as set forth in this Chapter shall be interpreted to permit supporting and ancillary uses which are reasonably associated with the primary use.

B. Definitions

1. Height. The vertical distance of the highest point of the roof, excluding penthouses and roof structures, above the mean grade of the sidewalk at the line of the street or streets on which the building abuts, or, in the case of a building not abutting on a street, above a given grade adjoining the building line, as more fully defined in the Zoning Code of the City of Boston in effect at the time of approval of this Urban Renewal Plan by the City Council.

2. Floor Area Ratio (F.A.R.) The ratio of gross floor area of a structure or group of structures to total parcel area as more fully defined in said Zoning Code.

3. Arcade. A substantial area of a building which is open to public access for right-of-way purposes.

C. Building Requirements and Restrictions

1. Landscaping and Screening. All open areas must be suitably landscaped so as to provide a visually attractive environment.

2. Off-Street Loading.

NUMBER OF BAYS REQUIRED BY GROSS FLOOR AREA OF STRUCTURES

Gross Floor Area (in thousands of square feet)	Office and General Commercial	Retail and Wholesale
Under 15	0	0
15-50	1	1
50-100	1	2
100-150	2	3
150-300	3	4
300 and over	4*	5*

The above controls shall apply unless a developer or owner can demonstrate to the satisfaction of the Authority that the off-street loading needs of the property will be met adequately in other ways, or that the lack of such loading facilities will not be detrimental to surrounding areas of the Project. Provision shall be made so that all movement of trucks for loading is accomplished within the site. Loading provisions that require a truck to back up into traffic to get in or out of a loading dock are unacceptable.

3. Other On-Site Improvements. All improvements on the land, including buildings, landscaped areas, and parking areas, shall be properly maintained in good repair, and in clean, sanitary and attractive condition. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided, and properly maintained. Open storage of materials, equipment or merchandise shall not be permitted in any section of the Project Area.

4. Sign Control. Signs within the Project Area shall be restricted to an identification of the establishment and the nature of its products. All signs must be suitably integrated with the architectural design of the structure which they identify. No signs or advertising shall be placed on the exterior facade on or above the floor level of the third floor of any structure. No sign shall project above the roof of the structure on which it is mounted. The size, design, location and number of signs, the placement or replacement of any sign or any exceptions to the above controls shall be subject to the approval of the Authority.

* Plus 1 for each additional 150,000 square feet.

5. Parking. All parking structures shall be designed so as to provide one entrance lane for each 300 parking spaces provided. Each entrance lane must have sufficient reservoir space to avoid vehicle backup onto public streets. All parking shall be enclosed unless otherwise indicated in Section 606.

6. Subway Facilities. Provision shall be made for subway tunnels, stations, and access facilities in accordance with the proposed Land Use Plan, and disposition parcels may be subject to easements and other rights as appropriate in accordance therewith.

7. Utilities. The placement or replacement of all private and public utilities shall be underground and disposition parcels may be subject to easements and other rights as appropriate in accordance therewith.

8. Handicapped Persons Provisions. All new buildings in the Project Area shall be so designed that persons in wheelchairs can enter and leave and travel about the building in a reasonable manner without undue obstruction.

Section 603: Land Use

The Project Area shall generally be devoted to office and commercial uses, and landscaped open areas. Specific uses for each parcel are set forth in Section 606. In each case, and unless specifically otherwise provided, designation of a particular use includes all accessory and ancillary uses, customarily or reasonably incident to the use specified or the use on an adjoining parcel. Within the purview of this Section, the Authority may permit on any parcel such uses as are consistent with the objectives of the Project.

Section 604: Controls on Contiguous Parcels

In the event that the Authority disposes of a reuse parcel or any subdivision of a reuse parcel to a developer who owns a contiguous parcel not part of the clearance or disposition area, the Authority reserves the right to impose such controls as are necessary to insure that the use and development of both parcels will be in conformity with the objectives of the Plan.

Section 605: Interpretation

In the event of any question or questions regarding the meaning or construction of any land use and building requirements in this Chapter, the reasonable interpretation or construction thereof by the Authority shall be final and binding.

Section 606: Land Use Controls and Building Requirements for Disposition Parcels

The following land use controls and building requirements apply to the parcel indicated.

Parcel A-1

Permitted Uses:	Commercial; parking Ground floor on all frontages to be devoted to retail uses.
Floor Area Ratio:	Minimum 3; maximum 10
Parking:	Not to exceed 880 cars; parking not permitted on first two floors
Other Requirements:	(a) Service access from Arch Street only; (b) Parking access from Hawley Street and Arch Street only; (c) Pedestrian easement on present Hawley Street Right-of-Way.

Parcel A-2

Permitted Uses:	Commercial; office Ground floor on all frontages to be devoted to retail uses
Floor Area Ratio:	Minimum 3; maximum 6
Height:	Minimum 65 ft.; maximum 95 ft.
Parking:	Not permitted
Other Requirements:	No vehicular access from School Street

Parcel A-3

Permitted Uses:	Public open space No permanent structures permitted
Parking:	Not permitted

Parcel A-4

Permitted Uses:	Commercial
Alternate Uses:	Public Open Space
Floor Area Ratio:	Maximum 10
Parking:	Not permitted
Other Requirements:	(a) Easement for MBTA entrance; (b) No vehicular access permitted; (c) Setback below 4th floor not permitted; (d) Setback of 50 feet required above.

Section 607: Land Use Controls and Building Requirements Governing Property Acquired Under Sections 402 and 403.

The following land use controls and building requirements govern the disposition of properties that have been acquired under Sections 402 and 403:

A. Requirements for Buildings Fronting on School Street (North Side) and City Hall Avenue

1. Height:	Above sidewalk grade.
2. Setback:	No setback permitted.
3. Parking:	No parking permitted.
4. Other Requirements:	Buildings should respect the scale of the Old Corner Book Store properties and Old City Hall. Ground floors on all frontages should be designed for and devoted to retail use.

B. Requirements for Buildings Fronting on Washington Street

1. Setback:	No setback permitted below fourth floor; setback of 50' required above a height of 100 feet on Washington Street.
2. Parking:	No open parking permitted.
3. Other Requirements:	Arcade permitted along Washington Street. Ground floors on all frontages should be designed for and devoted to retail uses.

C. Requirements for Other Buildings

1. Parking:	Covered accessory parking permitted. No open parking or parking garages permitted.

2. Other Requirements: Ground floors on all frontages should be designed for and devoted to retail uses.

D. Requirements for Other Buildings

1. Parking: Covered accessory parking permitted. No open parking or parking garages permitted.

2. Other Requirements: Ground floors on all frontages should be designed for and devoted to retail uses.

CHAPTER VII: REDEVELOPER'S OBLIGATIONS

Section 701: Applicability

The provisions of this chapter shall apply to each parcel acquired upon its disposition and shall be implemented by appropriate covenants and provisions in disposition documents.

Section 702: Compliance with Plan

Redevelopment of the land in the Project Area shall be made subject to the regulations and controls set forth in the Urban Renewal Plan. The purpose of such regulations and controls is to assure that the redevelopment of land within the Project Area will conform to the planning and design objectives of the Urban Renewal Plan. It is therefore the obligation of all redevelopers not only to comply with these regulations and controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare redevelopment proposals which conform to the Plan.

Section 703: Design Review

All redevelopment and rehabilitation proposals will be subject to design review, comment and approval by the Boston Redevelopment Authority prior to land disposition and/or prior to the commencement of construction.

In addition to assuring compliance with the specific controls set forth in this Plan and as more specifically set forth in disposition documents, the Authority will establish design review procedures and evaluate the quality and appropriateness of redevelopment proposals with reference to the design objectives and requirements set forth in this Plan and in the disposition documents.

Section 704: General Obligations

The Authority shall obligate redevelopers and purchasers of land in the Project Area, and their successors and assigns, by covenants and conditions running with the land or other appropriate means providing for reasonable action in the event of default or noncompliance by such redevelopers and purchasers:-

1. To devote, develop or otherwise use such land only for the purpose and in the manner stated in the Plan;

2. To comply with such terms and conditions relating to the use and maintenance of such land and improvements thereon as in the opinion of the Authority are necessary to carry out the purpose and objectives of the Plan and of the relevant provisions of the Massachusetts General Laws;

3. To commence, execute and complete construction and improvements in accordance with reasonable time schedules as determined, agreed on and established by the Authority.

4. To give preference in the selection of tenants for commercial space built in the Project Area to persons displaced from such area or from other areas on account of action taken pursuant to Urban Renewal Plans, who desire to rent such commercial space and who will be able to pay rents or prices equal to rents or prices charged other tenants for similar or comparable space built as a part of the same redevelopment;

5. To devote 1% of construction cost to works of art in accordance with policies as established by the Authority.

Section 705: Disposition by Redeveloper

The redeveloper shall not dispose of all or part of his interest in a disposition parcel within the Project Area without the written consent of the Boston Redevelopment Authority until the full completion by the redeveloper of all improvements required by and in conformity with the terms and conditions of both the Urban Renewal Plan and the Land Disposition Agreement entered into between the Redeveloper and the Authority. The Boston Redevelopment Authority may in granting such consent impose conditions that will, among other things, prevent speculation, protect the interest of the Boston Redevelopment Authority and the City of Boston, and effect compliance with and achieve the objectives of Chapter 121 and, where applicable, Chapter 121A of the Massachusetts General Laws, and amendments thereto.

CHAPTER VIII: REHABILITATION

Section 801: Identification and Applicability

Property not designated for acquisition as shown on Map 1 - Property Map shall be made to conform with the rehabilitation objectives and standards set forth in this chapter. All properties and buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on said Map, are to be maintained at or brought to a level which meets the standards of this chapter.

Any property or building which is not maintained at or brought to conformity with such standards will be subject to acquisition by the Boston Redevelopment Authority.

Section 802: General Objectives

The basic objectives of rehabilitation activity in the Project Area shall be to secure and maintain all structures and their environment so as:-

1. To prevent the spread of blight and substandard conditions;

2. To restore deteriorating areas to sound conditions;

3. To improve the quality of individual properties;

4. To create decent, safe, and sanitary structures providing a sufficient degree of amenity, convenience and usefulness for the occupants and users thereof; and

5. To preserve significant historic structures in the area.

Section 803: Planning and Design Objectives

1. To achieve land uses which will be complementary, and will not adversely affect each other;

2. To require that the physical character of buildings be aesthetically pleasing and architecturally consistent with the surrounding area in order to eliminate deteriorating or blighting influences, to encourage area stability, maintenance of property, and a high calibre of land use; and that all open areas be attractively landscaped in order to enchance the character of the area;

3. To require that buildings be structurally sound; and

4. To require that all open areas be attractively landscaped.

5. To integrate signs with the overall structural appearance that they will not adversely affect the general character or appearance of the areas;

6. To reface unfinished facades in a manner which will make them harmonious with the rest of the building and the area;

7. To demolish and remove all nonfunctioning or unused mechanical equipment (and housings for same), vents, flues and chimneys which are visible from the exterior.

Section 804: Health Objectives

Sanitary objectives must be attained in order to eliminate conditions which cause disease or which are otherwise detrimental to the public health and safety, and the general welfare of the community. To achieve this, all facilities necessary for adequate heat, light, plumbing, and general sanitation must be properly installed and maintained in good working condition. Structural and environmental conditions necessary for the provision of adequate space for occupants, and for healthy conditions and use must be maintained.

Section 805: Safety Objectives

Safety objectives must be achieved to prevent unsafe conditions which can cause injury to persons or damage to adjacent buildings.

To achieve this, potential fire hazards must be eliminated; unsafe conditions in alleys and open spaces must be eliminated; the exterior and interior of structures and buildings and all facilities must provide maximum safety. Satisfactory means of egress must be provided.

Section 806: Rehabilitation Standards

All structures and buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on the Property Map, shall be maintained at or made to conform to:-

1. The Sanitary Code of the Commonwealth of Massachusetts: "Article II, Minimum Standards of Fitness for Human Habitation";

2. The "Building Code of the City of Boston", and revisions and amendments thereto;

3. The "Fire Prevention Code" of the City of Boston, set out in Chapter 3 of the City Ordinances of 1959, and ratified by Chapter 314, Massachusetts Acts of 1962;

4. The City of Boston Zoning Code, and revisions and amendments thereto; and

5. All other applicable state and local laws, ordinances, codes and regulations. Provided, however, that deviations from such laws, ordinances, codes and regulations may be granted and approved as provided under Chapter 121A, Massachusetts General Laws, and amendments thereto, and as otherwise provided under such laws, ordinances, codes and regulations where applicable.

Failure to set forth herein any provisions of any such law, ordinance, code or regulation shall not be deemed to make such provision inapplicable.

Section 807: Standards for Historic Preservation

A. Properties Affected.

There are four structures of historic or architectural importance in the Project Area - the three buildings comprising the Old Corner Book Store Properties, now owned by Historic Boston, Inc., and the Boston City Hall, now owned by the City of Boston - to which the following requirements apply.

B. Permitted Uses

The properties shall be devoted to general business, office, public or institutional uses. Establishments having a relation to the historical and architectural traditions of the area should be given preference.

C. Interior Remodeling and Spatial Arrangement

The interior floors, walls, ceilings, doors and door frames, window frames, stairs and other interior details may be rearranged as required and rehabilitated to a safe and useable condition, suitable and desirable for the use intended.

D. Structural Standards

The foundations, exterior and interior bearing walls, party and/or fire walls, columns, floor and roof framing members shall be rehabilitated as necessary so as to be structurally sound and fulfill the structural requirements for the permitted uses.

E. Mechanical Equipment and Facilities

All mechanical and sanitary equipment and facilities including but not necessarily restricted to lighting and electrical service, heating, venting and air-conditioning, plumbing, toilets and elevators, shall be rehabilitated to a safe and useable condition, unless existing equipment and facilities are of such condition that they are not repairable, in which instance they shall be replaced or installed as appropriate.

F. Protection from Elements

1. The roof, walls, foundations, gutters, drains, and details around all wall openings shall be rehabilitated as appropriate so that all interior spaces will be free of leaks and dampness.

2. Contemporary flashing and damp-proofing shall be installed at all critical points for the protection of exterior walls and roofs; and

3. Weather proofings shall be accomplished in a manner consistent with the architectural and historical motif of the structure.

G. Exterior Facades and Roofs

1. All appropriate facades of the building shall be restored in a manner which is compatible with the original architecture of the building.

2. In general, exterior facades are to be rehabilitated in a manner consistent with the architectural tradition and stylistic motif of the structure without detracting from the contemporary and future usefulness and soundness of the building.

3. No air-conditioning, ventilating or other mechanical or electrical equipment, except lighting fixtures may project beyond the masonry face of exterior walls except by specific approval of the Boston Redevelopment Authority.

4. All non-functioning or non-useable mechanical equipment (and housing for same), vents, flues and chimneys shall be demolished and removed. The only new structure above the present roof to be permitted will be housings for mechanical equipment and these must be of a design, detail, size material and workmanship in harmony with the historical motifs of the building.

H. No addition or subtractions shall be made to or from the building without the specific approval of the Boston Redevelopment Authority.

I. Signs and Advertising

1. No flashing or animated electrical signs may be used; and

2. In general, all other controls and restrictions of the Urban Renewal Plan pertaining to fixed signs and advertising apply to these buildings. Exceptions for special heraldic devices and symbols, handing signs, or mechanical signs may be submitted to and approved by the Boston Redevelopment Authority if these can be shown to relate to the historical traditions of which the building is a symbol.

J. Parking

No open parking permitted.

Section 808: Special Provision Relating to Boston City Hall

The Boston City Hall is proposed for rehabilitation in order to preserve it as an historic and architectural landmark. However, if after a period of one year after approval of the Plan by the City Council, or such other reasonable period of time as shall be established by the Authority, a feasible proposal for the rehabilitation of this property in accordance with standards set forth in this chapter has not been approved by the Authority and work undertaken and completed in accordance therewith, the property may be cleared and made available for general commercial or office uses, in which latter event building controls and setbacks appropriate to the site and similar to those applicable to neighboring properties will be established by the Boston Redevelopment Authority and imposed on this property.

CHAPTER IX: ZONING DISTRICT CHANGES

Section 901: Identification of Changes

Proposed zone district changes are shown on Map 3 - Zoning Plan.

CHAPTER X: RELATION OF PLAN TO LOCAL OBJECTIVES

Section 1001: Conformity to General Plan

The Urban Renewal Plan is in conformity with the 1965/1975 General Plan for the City of Boston and the Regional Core, as adopted by the Boston Redevelopment Authority in March, 1965, and its program for community improvements. In addition, the Urban Renewal Plan is in conformity with the General Neighborhood Renewal Plan for the downtown area of the City of Boston, as adopted by the Boston Redevelopment Authority in March, 1965.

Section 1002: Relationship to Definite Local Objectives

1. Land Use

The Project will help achieve the local objectives of providing new and improved commercial space in downtown Boston as well as the creation of public open spaces, and parking facilities. The new uses will be supported by appropriate project improvements.

2. Traffic Improvements

The Plan will enable improvements to be made to the overall street system of the Project Area in order to achieve a more efficient flow of traffic and thereby encourage economic growth. In addition, the Plan will provide a significant increase in off-street parking facilities as well as off-street loading for the distribution of goods and merchandise. It will thus meet the local objectives of reducing congestion and accidents, improving traffic flow, and providing suitably located parking facilities.

3. Improvement of Public Utilities

The Urban Renewal Plan proposes the relocation, abandonment, or replacement as necessary of all existing substandard, inadequate underground

public utilities with new underground lines adequate in capacity and flow and in conformance with local standards.

4. Recreation and Community Facilities

The Plan will provide well located, new public open spaces within the Project which will improve the environment and heighten the appeal of historic buildings. In addition, the Plan will provide a system of pedestrian malls and walkways for the convenience of shoppers and visitors. These goals are an important part of the planning objectives of the area.

CHAPTER XI: ANTI-DISCRIMINATION PROVISIONS

Section 1101: Compliance with Anti-Discrimination Laws

All property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management, or occupancy of real property within the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws, and amendments thereto, and to all other applicable federal, state, and local laws prohibiting discrimination or segregation by reason of race, color, sex, religion, or national origin.

CHAPTER XII: MODIFICATION AND TERMINATION

Section 1201: Modification

This Plan may be amended at any time by the Authority, provided, however, that:-

1. Any amendment which in the reasonable opinion of the Authority substantially or materially alters or changes the Plan shall be subject to the Federal, State and local approvals then required by law;

2. No amendment to any provision of Chapter VI of the Plan shall be effective with respect to any land which the Authority has then disposed of or contracted to dispose of without the consent of the other party to such disposition or contract, or such other party's successors or assigns; and

3. If this Plan is recorded with the Suffolk Registry of Deeds, no such amendment shall be effective until the amendment is also so recorded.

Section 1202: Termination

The provisions and requirements established in this Urban Renewal Plan shall be maintained in effect for a period of forty (40) years from the date of the original approval of the Urban Renewal Plan by the City Council and Mayor of the City of Boston, except for Section 1101 which shall remain in effect for one hundred (100) years from said date.

BOSTON REDEVELOPMENT AUTHORITY

URBAN RENEWAL PLAN

CENTRAL BUSINESS DISTRICT - BOYLSTON-ESSEX

URBAN RENEWAL AREA

Project No. Mass. R-82B

MAY, 1968

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CHAPTER I: DESCRIPTION OF PROJECT

Section 101: Project Boundary

Project boundaries are shown on Map I - Property Map

Section 102: Project Boundary Description

The Boylston-Essex Area of the Central Business District Urban Renewal Project is bounded and described as follows:

Beginning at the intersection of the southerly sideline of Essex Street and the easterly sideline of Washington Street;

Thence running southwesterly along the easterly sideline of Washington Street to a point of intersection of said sideline with the extended southerly sideline of Boylston Street;

Thence turning and running westerly along the said extended southerly sideline of Boylston Street to a point of intersection of said sideline with the extended westerly sideline of Bumstead Court;

Thence turning and running a northwesterly direction along the said extended westerly sideline of Bumstead Court to a point of intersection of said sideline with the extended southerly property line of 619-625 Washington Street;

Thence turning and running in an easterly direction along said extended southerly property line of 619-625 Washington Street to a point of intersection of said property line with the westerly property line of 627-631 Washington Street;

Thence turning and running in a southeasterly direction along the westerly property line of 627-631 Washington Street to a point of intersection of said property line with the southerly property line of 627-631 Washington Street;

Thence turning and running in an easterly direction along the southerly property line of 627-631 Washington Street extended to a point of intersection with the extended easterly sideline of Washington Street;

Thence turning and running in a southwesterly direction along the extended easterly sideline of Washington Street to a point of intersection of said extended sideline with the intersection of the southerly sideline of Essex Street and the easterly sideline of Washington Street, which is the point of beginning.

CHAPTER II: OBJECTIVES

Section 201: Basic Objectives

The basic objectives of the CBD - Boylston-Essex Urban Renewal Plan are:

1. To aid in reversing the economic decline of the older commercial sector of the City;

2. To eliminate blighted conditions;

3. To improve traffic flow.

4. To facilitate the efficient use of land within the area for commercial and public purposes.

Section 202: Planning Objectives

Planning objectives of the project include the following:

1. To provide increased accessibility within the downtown area for vehicular and pedestrian traffic;

2. To eliminate, to the maximum extent feasible, conflict between free flowing traffic and pedestrian movement.

3. To remove deteriorated, substandard and dilapidated buildings and structures which blight the area and inhibit new investment;

4. To encourage increased acceptance of mass transit within the area by station modernization and appropriate location of entrances and exits.

CHAPTER III: PROPOSED RENEWAL ACTIONS

Section 301: Proposed Types of Renewal Actions

Proposed types of renewal actions within the Project Area will consist of a combination of clearance and redevelopment activity; provision of public improvements and public facilities; and rights-of-way and utilities changes.

Section 302: Clearance and Redevelopment Activities

Clearance and redevelopment activities include:

1. The acquisition of real property;
2. The relocation of the occupants thereof;
3. The clearance of land and buildings;
4. The installation, construction and reconstruction of improvements;
5. The disposition of land for uses in accordance with the land use and building requirements and other provisions of the Urban Renewal Plan; and
6. Design review and enforcement of provisions of Land Disposition Agreements.

Section 303: Rehabilitation Activities

There are no rehabilitation activities contemplated within the Project Area.

Section 304: Public Improvements

Public improvements will include, as necessary, the abandonment, provision, improvement, extension, construction, reconstruction and installation of landscaped open space, rights-of-way, streets, pedestrian ways, new tree plantings, and utilities, such as water, sewers, traffic and street lighting systems, police and fire communication systems and mass transit facilities, in order to carry out the objectives of the Urban Renewal Plan.

CHAPTER IV: PROPERTY TO BE ACQUIRED

Section 401: Identification

Property acquired by the Boston Redevelopment Authority for clearance and redevelopment is shown on Map 1 - Property Map.

CHAPTER V: INTERIM USE OF ACQUIRED PROPERTY

Section 501: Interim Use of Acquired Property

The Boston Redevelopment Authority may devote property acquired under the provisions of this Plan to temporary use prior to the time such property is needed for redevelopment. Such uses may include, but are not limited to project office facilities, parking, relocation purposes, public transportation or recreational uses, all in accordance with such standards, controls and regulations as the Authority may deem appropriate.

CHAPTER VI: LAND USE AND BUILDING REQUIREMENTS

Section 601: Land Use Plan

The use of land in the Project Area shall be as shown on Map 2 - Proposed Land Use Plan - which indicates proposed land uses and rights-of-way.

Section 602: Land Use and Building Requirements

A. General

Use controls as set forth in this Chapter shall be interpreted to permit supporting and ancillary uses which are reasonably associated with the primary use.

B. Definitions

1. Height. The vertical distance of the highest point of the roof, excluding penthouses and roof structures, above the mean grade of the sidewalk at the line of the street or streets on which the building abuts, or, in the case of a building not abutting on a street, above a given grade adjoining the building line, as more fully defined in the Zoning Code of the City of Boston in effect at the time of approval of this Urban Renewal Plan by the City Council.

2. Floor Area Ratio (F.A.R.) The ratio of gross floor area of a structure or group of structures to total parcel area as more fully defined in said Zoning Code.

C. Building Requirements and Restrictions

1. Landscaping and Screening. All open areas must be suitably landscaped so as to provide a visually attractive environment.

2. Off-Street Loading. Developers and owners of buildings shall demonstrate to the satisfaction of the Authority that the off-street loading needs of the property will be met adequately, or that the lack of such loading facilities will not be detrimental to surrounding areas.

3. Other On-Site Improvements. All improvements on the land, including buildings and landscaped areas, shall be properly maintained in good repair, and in clean, sanitary and attractive condition. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided and properly maintained. Open storage of materials, equipment or merchandise shall not be permitted in any section of the Project Area.

4. Sign Control. Signs within the Project Area shall be restricted to an identification of the establishment and the nature of its products. All signs must be suitably integrated with the architectural design of the structure which they identify. No signs or advertising shall be placed on the exterior facade on or above the floor level of the third floor of any structure. No sign shall project above the roof of the structure on which it is mounted. The size, design location and number of signs, the placement or replacement of any sign or any exceptions to the above controls shall be subject to the approval of the Authority.

5. Subway Facilities. Provision shall be made for subway tunnels, stations, and access facilities in accordance with the proposed Land Use Plan.

Section 603: Specific Land Use and Building Requirements

The Project Area shall generally be devoted to office and commercial uses, and landscaped open areas. Specific uses for the parcel are set forth in Section 606. In each case, and unless specifically otherwise provided, designation of a particular use includes all accessory and ancillary uses, customarily or reasonably incident to the use specified or the use on an adjoining parcel. Within the purview of this Section, the Authority may permit on the parcel such uses as are consistent with the objectives of the Project.

Section 604: Controls on Contiguous Parcels

In the event that the Authority disposes of the reuse parcel to a developer who owns a contiguous parcel not part of the clearance or disposition area, the Authority reserves the right to impose such controls as are necessary to insure that the use and development of both parcels will be in conformity with the objectives of the Plan.

Section 605: Interpretation

In the event of any question or questions regarding the meaning or construction of any land use and building requirements in this Chapter, the reasonable interpretation or construction thereof by the Authority shall be final and binding.

Section 606: Land Use and Building Requirements

Parcel B-1

Permitted Uses - Commercial, General Business, Institutional

F.A.R. - Minimum 2; maximum 10

Parking - Not permitted

CHAPTER VII: REDEVELOPER'S OBLIGATIONS

Section 701: Applicability

The provisions of this chapter shall apply to each parcel acquired upon its disposition and shall be implemented by appropriate covenants and provisions in disposition documents.

Section 702: Compliance with Plan

Redevelopment of the land in the Project Area shall be made subject to the regulations and controls set forth in the Urban Renewal Plan. The purpose of such regulations and controls is to assure that the redevelopment of land within the Project Area will conform to the planning and design objectives of the Urban Renewal Plan. It is therefore the obligation of all redevelopers not only to comply with these regulations and controls, but also to familiarize themselves with the overall Urban Renewal Plan and to prepare redevelopment proposals which conform to the Plan.

Section 703: Design Review

All redevelopment and rehabilitation will be subject to design review, comment and approval by the Boston Redevelopment Authority prior to land disposition and/or prior to the commencement of construction.

In addition to assuring compliance with the specific controls set forth in this Plan and as more specifically set forth in disposition documents, the Authority will establish design review procedures and evaluate the quality and appropriateness of redevelopment proposals with reference to the design objectives and requirements set forth in this Plan and in the disposition documents.

Section 704: General Obligations

The Authority shall obligate redevelopers and purchasers of land in the Project Area, and their successors and assigns, by venants and conditions running with the land or other appropriate means providing for reasonable action in the event of default or noncompliance by such redevelopers and purchasers:-

1. To devote, develop or otherwise use such land only for the purpose and in the manner stated in the Plan;

2. To comply with such terms and conditions relating to the use and maintenance of such land and improvements thereon as in the opinion of the Authority are necessary to carry out the purpose and objectives of the Plan and of the relevant provisions of the Massachusetts General Laws;

3. To commence, execute and complete construction and improvements in accordance with reasonable time schedules as determined, agreed on and established by the Authority;

4. To give preference in the selection of tenants for commercial space built in the Project Area to persons displaced from such area or from other areas on account of action taken pursuant to Urban Renewal Plans, who desire to rent such commercial space and who will be able to pay rents or prices equal to rents or pirces charged other tenants for similar or comparable space built as a part of the same redevelopment;

5. To devote 1% of construction cost to works of art in accordance with the policies established by the Authority.

Section 705: Disposition by Redeveloper

The Redeveloper shall not dispose of all or part of his interest in a disposition parcel within the Project Area without the written consent of the Boston Redevelopment Authority until the full completion by the redeveloper of all improvements required by and in conformity with the terms and conditions of both the Urban Renewal Plan and the Land Disposition Agreement entered into between the Redeveloper and the Authority. The Boston Redevelopment Authority may in granting such consent impose conditions that will, among other things, prevent speculation, protect the interest of the Boston Redevelopment Authority and the City of Boston, and effect compliance with and achieve the objectives of Chapter 121 and, where applicable, Chapter 121A of the Massachusetts General Laws, and amendments thereto.

CHAPTER VIII: REHABILITATION

All structures within the Project Area are to be demolished for public improvements and redevelopment.

CHAPTER IX: ZONING DISTRICT CHANGES

Section 901: Identification of Changes

The entire Project Area is presently within the B-10 zone district and will remain as such.

CHAPTER X: RELATION OF PLAN TO LOCAL OBJECTIVES

Section 1001: Conformity to General Plan

The Urban Renewal Plan is in conformity with the 1965/1975 General Plan for the City of Boston and the Regional Core, as adopted by the Boston Redevelopment Authority in March, 1965, and its program for community improvements. In addition, the Urban Renewal Plan is in conformity with the General Neighborhood Renewal Plan for the downtown area of the City of Boston, as adopted by the Boston Redevelopment Authority in March, 1965.

Section 1002: Relationship to Definite Local Objectives

1. Land Use

   The Project will help achieve the local objectives of providing new and improved commercial space in downtown Boston

2. Traffic Improvements

   The Plan will enable improvements to be made to the street system of the Project Area in order to achieve a more efficient flow of traffic and thereby encourage economic growth. It will also meet the local objectives of reducing congestion and accidents, and improving traffic flow.

3. Improvement of Public Utilities

   The Urban Renewal Plan proposes the relocation, abandonment, or replacement as necessary of all existing substandard, inadequate underground public utilities with new underground lines adequate in capacity and flow and in conformance with local standards.

CHAPTER XI: ANTI-DISCRIMINATION PROVISIONS

Section 1101: Compliance with Anti-Discrimination Laws

All property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management, or occupancy of real property within the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws, and amendments thereto, and to all other applicable federal, state, and local laws prohibiting discrimination or segreation by reason of race, color, sex, religion or national origin.

CHAPTER XII: MODIFICATION AND TERMINATION

Section 1201: Modification

This Plan may be amended at any time by the Authority, provided, however, that:-

1. Any amendment which in the reasonable opinion of the Authority substantially or materially alters or changes the Plan shall be subject to the Federal, State and local approvals then required by law;

2. No amendment to any provision of Chapter VI of the Plan shall be effective with respect to any land which the Authority has then disposed of or contracted to dispose of without the consent of the other party to such disposition or contract, or such other party's successors or assigns; and

3. If this Plan is recorded with the Suffolk Registry of Deeds, no such amendment shall be effective until the amendment is also so recorded.

Section 1202: Termination

The provisions and requirements established in this Urban Renewal Plan shall be maintained in effect for a period of forty (40) years from the date of the original approval of the Urban Renewal Plan by the City Council and Mayor of the City of Boston, except for Section 1101 which shall remain in effect for one hundred (100) years from said date.

BOSTON REDEVELOPMENT AUTHORITY

URBAN RENEWAL PLAN

CENTRAL BUSINESS DISTRICT - SOUTH STATION

PROJECT NO. MASS. R-82C

MAY, 1968

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CHAPTER I: DESCRIPTION OF PROJECT

Section 101: Project Boundary

Project boundaries are shown on Map I - Property Map .

Section 102: Project Boundary Description

The South Station Area of the Central Business District Urban Renewal Project is bounded and described as follows:

The South Station Area of the Central Business District Urban Renewal Project is bounded and described as follows:

Beginning at the intersection of the northerly sideline of Summer Street and the easterly sideline of Atlantic Avenue;

Thence turning and running in a northwesterly direction along the direction of the face of the northerly portal of the John F. Fitzgerald Expressway entrance to a point of intersection of said line with the westerly sideline of Purchase Street;

Thence turning and running in a southwesterly direction along the westerly sideline of Purchase Street to a point of intersection of said sideline with the northerly sideline of Federal Street;

Thence turning and running in a northwesterly direction along the easterly sideline of Federal Street extended to a point of intersection with the extended westerly sideline of High Street;

Thence turning and running in a southwesterly direction along the westerly sideline of High Street to a point of intersection with the extended westerly sideline of South Street;

Thence turning and running in a southerly direction along the westerly sideline of South Street to a point of intersection of said sideline with the northerly sideline of the Surface Artery of the John F. Fitzgerald Expressway;

Thence turning and running in a generally westerly and southwesterly direction along the northerly sideline of the Surface Artery of the John F. Fitzgerald Expressway to a point of intersection along the southerly sideline of Essex Street;

Thence turning and running in an easterly direction along the southerly sideline of Essex Street to a point of intersection of said sideline with the westerly sideline of Atlantic Avenue;

Thence turning and running in a southerly direction along the westerly sideline of Atlantic Avenue to a point of intersection of said sideline with the northerly sideline of Kneeland Street;

Thence turning and running in a westerly direction along the northerly sideline of Kneeland Street to a point of intersection with the easterly sideline of South Street;

Thence turning and running in a generally southerly and then westerly direction along the easterly curbline of the Easterly Ramp of the Massachusetts Turnpike

to a point of intersection of the easterly curbline of the Easterly Ramp with the easterly sideline at the Service Road of the John F. Fitzgerald Expressway;

Thence turning and running in a southerly direction along the easterly sideline of the Service Road of the John F. Fitzgerald Expressway to a point of intersection of said sideline with the northerly sideline of Broadway;

Thence turning and running in a generally southeasterly direction along the northerly sideline of Broadway to a point of intersection of said sideline with the approximate pierhead and bulkhead line on the southerly side of the Fort Point Channel;

Thence turning and running in a generally easterly and northeasterly direction along the approximate pierhead and bulkhead line to a point of intersection of said pierhead and bulkhead line with the northerly sideline of Summer Street;

Thence turning and running in a northwesterly direction along the northerly sideline of Summer Street extended to a point of intersection of said sideline with the centerline of Atlantic Avenue, which is the point of beginning.

CHAPTER II: OBJECTIVES

Section 201: Basic Objectives

The basic objectives of the CBD - South Station Urban Renewal Plan are:

1. To aid in reversing the economic decline of the older commercial sector of the City;

2. To eliminate blighted conditions;

3. To discourage traffic movement within the central core;

4. To facilitate the efficient use of land within the area for commercial and public purposes.

Section 202: Planning Objectives

Planning objectives of the project include the following:

1. To provide increased accessibility to and within the downtown area for pedestrians, including the introduction of new pedestrian distribution systems;

2. To eliminate, to the maximum extent feasible, conflict between traffic and pedestrian movement.

3. To remove deteriorated, substandard and dilapidated buildings and structures which blight the area and inhibit new investment;

4. To encourage increased acceptance of public transportation within the area by construction of new station and terminal facilities.

5. To adjust obsolete block and parcel patterns which hinder new development by private enterprise.

Section 203: General Design Objectives

The design objectives for reuse in the Project Area are as follows:

1. The encouragement of buildings of a multistory and multiuse nature, built close to the street lines so as to maintain the urban environment.

2. The provision of easy and pleasant pedestrian connections between the major arrival point (South Station) and the adjacent office and retail areas;

3. The regulation of access to off-street parking and loading areas to reduce conflict between pedestrians and vehicles and at the same time to allow more efficient functioning of the street system.

4. Diversity in construction and in land use, provided that respect for neighboring properties and the urban environment is maintained.

5. The encouragement of intensive new development, including a large quantity of parking within the South Station property so as to provide a stimulus for economic growth in the district as a whole and to meet the heavy demand for parking service;

6. Rehabilitation and modernization of existing loft and other structures in the adjacent areas.

Section 204: Specific Building Design Objectives

The easterly terminus of the Summer Street pedestrian way will be the South Station transportation concourse which will provide pedestrians with access to the parking garage, trains, buses, and the MBTA. New development should architecturally express this function in those elements visible from Summer and Federal Streets. The pedestrian traffic over Dewey Square and along Summer Street should be generously accommodated and protected from the weather.

The pedestrian path through the complex should be simple, yet interesting, with varied commercial activity. It should feature interior pedestrian circulation space to accommodate the many persons brought there by transportation and other uses within the complex which should become a landmark in the City of Boston.

Each development here should provide good pedestrian connections to other buildings within the complex and to the Summer Street pedestrian way.

Because of the great size of this development site, the problem of maintaining pedestrian scale within and visual scale when viewed from without becomes very important. The building complex must not be a world alien to the city around it, but must relate to the buildings and scale of the CBD.

CHAPTER III: PROPOSED RENEWAL ACTIONS

Section 301: Proposed Types of Renewal Actions

Proposed types of renewal actions within the Project Area will consist of a combination of clearance and redevelopment activity; provision of public improvements and public facilities; and rights-of-way and utilities changes.

Section 302: Clearance and Redevelopment Activities

Clearance and redevelopment activities include:

1. The acquisition of real property;

2. The relocation of the occupants thereof;

3. The clearance of land and buildings;

4. The installation, construction and reconstruction of improvements;

5. The disposition of land for uses in accordance with the land use and building requirements and other provisions of the Urban Renewal Plan; and

6. Design review and enforcement of provisions of Land Disposition Agreements.

Section 303: Rehabilitation Activities

There are no rehabilitation activities contemplated within the Project Area.

Section 304: Public Improvements

Public improvements will include, as necessary, the abandonment, provision, improvement, extension, construction, reconstruction and installation of landscaped open space, rights-of-way, streets, pedestrian ways, new tree plantings, and utilities, such as water, sewers, traffic and street lighting systems, police and fire communication systems and mass transit facilities, in order to carry out the objectives of the Urban Renewal Plan.

CHAPTER IV: PROPERTY TO BE ACQUIRED

Section 401: Identification

Property acquired by the Boston Redevelopment Authority for clearance and redevelopment is shown on Map 1 - Property Map.

CHAPTER V: INTERIM USE OF ACQUIRED PROPERTY

Section 501: Interim Use of Acquired Property

The Boston Redevelopment Authority may devote property acquired under the provisions of this Plan to temporary use prior to the time such property is needed for redevelopment. Such uses may include, but are not limited to project office facilities, parking, relocation purposes, public transportation or recreational uses, all in accordance with such standards, controls and regulations as the Authority may deem appropriate.

CHAPTER VI: LAND USE AND BUILDING REQUIREMENTS

Section 601: Land Use Plan

The use of land in the Project Area shall be as shown on Map 2 - Proposed Land Use Plan - which indicates proposed land uses and rights-of-way.

Section 602: Land Use and Building Requirements

A. General

1. The use and development of land and improvements shall be in accordance with the requirements of this Chapter.

2. The Boston Redevelopment Authority may subdivide disposition parcels as appropriate. In the event of subdivision, the permitted uses will be applicable to sub-parcels and parking requirements will be divided as appropriate.

3. The provisions of this Chapter shall apply to all disposition parcels unless specifically excepted.

4. Use controls as set forth in this Chapter shall be interpreted to permit supporting and ancillary uses which are reasonably associated with the primary use.

B. Definitions

1. Height. The vertical distance of the highest point of the roof, excluding penthouses and roof structures, above the mean grade of the sidewalk at the line of the street or streets on which the building abuts, or, in the case of a building not abutting on a

street, above a given grade adjoining the building line, as more fully defined in the Zoning Code of the City of Boston as in effect on the date the Plan is approved by the Boston City Council.

2. Floor Area Ratio (F.A.R.) The ratio of gross floor area of a structure or group of structures to total parcel area, as more fully defined in the Zoning Code of the City of Boston.

3. Arcade. A substantial area of a building which is open to public access for right-of-way purposes.

C. Building Requirements and Restrictions

1. Landscaping and Screening. All open areas must be suitably landscaped so as to provide a visually attractive environment.

2. Off-Street Loading.

NUMBER OF BAYS REQUIRED BY GROSS FLOOR AREA OF STRUCTURES

Gross Floor Area (in thousands of square feet)	Office and General Commercial	Retail and Wholesale
Under 15	0	0
15-50	1	1
50-100	1	2
100-150	2	3
150-300	3	4
300 and over	4*	5*

*Plus 1 for each additional 150,000 square feet

The above controls shall apply unless a developer or owner can demonstrate to the satisfaction of the Authority that the off-street loading needs of the property will be met adequately in other ways, or that the lack of such loading facilities will not be detrimental to surrounding areas of the Project. Provision shall be made so that all movement of trucks for loading is accomplished within the site. Loading provisions that require a truck to back up into traffic to get in or out of a loading dock are unacceptable.

3. Other On-Site Improvements. All improvements on the land, including buildings, landscaped areas, and parking areas, shall be properly maintained in good repair, and in clean, sanitary and attractive condition. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided and properly maintained. Open storage of materials, equipment or merchandise shall not be permitted in any section of the Project Area.

4. Sign Control. Signs within the Project Area shall be restricted to an identification of the establishment and the nature of its products. All signs must be suitably integrated with the architectural design of the structure which they identify. No signs or advertising shall be placed on the exterior facade on or above the floor level of the third floor of any structure. No sign shall project above the roof of the structure on which it is mounted. The size, design, location and number of signs, the

placement or replacement of any sign or any exceptions to the above controls shall be subject to the approval of the Authority.

5. Parking. All parking structures shall be designed so as to provide one entrance lane for each 300 parking spaces provided. Each entrance lane must have sufficient reservoir space to avoid vehicle backup onto public streets. All parking shall be enclosed unless otherwise indicated in Section 606.

6. Subway Facilities. Provision shall be made for subway tunnels, stations, and access facilities in accordance with the proposed Land Use Plan, and disposition parcels may be subject to easements and other rights as appropriate in accordance therewith.

7. Utilities. The placement or replacement of all private and public utilities shall be underground and disposition parcels may be subject to easements and other rights as appropriate in accordance therewith.

8. Handicapped Persons Provisions. All new buildings in the Project Area shall be so designed that persons in wheelchairs can enter and leave and travel about the building in a reasonable manner without due obstruction.

Section 603: Land Use

The Project Area shall generally be devoted to office and commercial uses, and uses associated with or related to a transportation terminal. Specific uses for each parcel are set forth in Section 606. In each case, and unless specifically otherwise provided, designation of a particular use includes all accessory and ancillary uses, customarily or reasonably incident to the use specified or the use on an adjoining parcel. Within the purview of this Section, the Authority may permit on any parcel such uses as are consistent with the objectives of the Project.

Section 604: Controls on Contiguous Parcels

In the event that the Authority disposes of a reuse parcel or any subdivision of a reuse parcel to a developer who owns a contiguous parcel not part of the clearance or disposition area, the Authority reserves the right to impose such controls as are necessary to insure that the use and development of both parcels will be in conformity with the objectives of the Plan.

Section 605: Interpretation

In the event of any question or questions regarding the meaning or construction of any land use and building requirements in this Chapter, the reasonable interpretation or construction thereof by the Authority shall be final and binding.

Section 606: Land Use and Building Requirements for Disposition Parcels

Parcel C-1

Permitted Uses: Office, commercial, transportation terminal

F.A.R.: Minimum 3, maximum 10

Parking: Not required; permitted ancillary to other uses only

Other Requirements: Easements for railroad use for pedestrian connections to Dewey Square overpass, and for MBTA entrance must be respected. For as long as a rail or bus terminal exists in the Parcel, adequate waiting room space shall be provided.

Parcel C-2

Permitted Uses: Transient housing, commercial, office

F.A.R.: Minimum 3, maximum 10

Parking: Not required; permitted ancillary to Transient Housing only at a maximum ratio of one space for each hotel unit.

Parcel C-3

Permitted Uses: Parking, commercial, office, transportation

F.A.R.: Minimum 2, maximum 10

Parking: 2,600 cars minimum
5,200 cars maximum

Other Requirements: Easements for railroad use; for pedestrian connections to Dewey Square overpass; and for public utility lines through the site must be respected.

Parcel C-4

Permitted Uses: Commercial, parking, athletic and entertainment facilities, public and institutional (may be developed with adjacent parcels outside Project Area)

F.A.R.: No requirements

Parking: Surface parking permitted

Other Requirements: Easements for railroad use must be respected.

Parcel C-5

Permitted Uses: Office, commercial

F.A.R.: Minimum 10, maximum 25.

Parking: Ancillary to office use only.

Other Requirements: No setback on Summer St. at first floor level. Pedestrian easement 40 ft. setback from curbline on Summer St. above first floor. No vehicular access from Summer St. Entire frontage on second floor along Summer St. shall be designed for and devoted to retail uses.

Parcel C-6 (May be developed in conjunction with adjacent land outside Project Area)

Permitted Uses: Commercial, parking

F.A.R.: No requirements

Parking: No open parking permitted; no parking permitted within 70 feet of Summer St. curbline.

Other Requirements: Pedestrian easement. Minimum 20 ft. setback from Summer St. above first floor. Entire frontage on second floor along Summer St. shall be designed for and devoted to retail uses.

Parcel C-7

Permitted Uses: Commercial, institutional, public open space

F.A.R.: Minimum 1, maximum 10

Parking: Not permitted

Other Requirements: Easement for entrance to Dewey Sq. pedestrian overpass; no vehicular access from Summer or Purchase Streets.

CHAPTER VII: REDEVELOPER'S OBLIGATIONS

Section 701: Applicability

The provisions of this chapter shall apply to each parcel acquired upon its disposition and shall be implemented by appropriate covenants and provisions in disposition documents.

Section 702: Compliance with Plan

Redevelopment of the land in the Project Area shall be made subject to the regulations and controls set forth in the Urban Renewal Plan. The purpose of such regulations and controls is to assure that the redevelopment of land within the Project Area will conform to the planning and design objectives of the Urban Renewal Plan. It is therefore the obligation of all redevelopers not only to comply with these regulations and controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare redevelopment proposals which conform to the Plan.

Section 703: Design Review

All redevelopment and rehabilitation proposals will be subject to design review, comment and approval by the Boston Redevelopment Authority prior to land disposition and/or prior to the commencement of construction.

In addition to assuring compliance with the specific controls set forth in this Plan and as more specifically set forth in disposition documents, the Authority will establish design review procedures and evaluate the quality and appropriateness of redevelopment proposals with reference to the design objectives and requirements set forth in this Plan and in the disposition documents.

Section 704: General Obligations

The Authority shall obligate redevelopers and purchasers of land in the Project Area, and their successors and assigns, by covenants and conditions running with the land or other appropriate means providing for reasonable action in the event of default or noncompliance by such redevelopers and purchasers:-

1. To devote, develop or otherwise use such land only for the purpose and in the manner stated in the Plan;

2. To comply with such terms and conditions relating to the use and maintenance of such land and improvements thereon as in the opinion of the Authority are necessary to carry out the purpose and objectives of the Plan and of the relevant provisions of the Massachusetts General Laws;

3. To commence, execute and complete construction and improvements in accordance with reasonable time schedules as determined, agreed on and established by the Authority.

4. To give preference in the selection of tenants for commercial space built in the Project Area to persons displaced from such area or from other areas on account of action taken pursuant to Urban Renewal Plans, who desire to rent such commercial space and who will be able to pay rents or prices equal to rents or prices charged other tenants for similar or comparable space built as a part of the same redevelopment;

5. To devote 1% of construction cost to works of art in accordance with policies as established by the Authority.

Section 705: Disposition by Redeveloper

The Redeveloper shall not dispose of all or part of his interest in a disposition parcel within the Project Area without the written consent of the Boston Redevelopment Authority until the full completion by the redeveloper of all improvements required by and in conformity with the terms and conditions of both the Urban Renewal Plan and the Land Disposition Agreement entered into between the Redeveloper and the Authority. The Boston Redevelopment Authority may in granting such consent impose conditions that will, among other things, prevent speculation, protect the interest of the Boston Redevelopment Authority and the City of Boston, and effect compliance with and achieve the objectives of Chapter 121 and, where applicable, Chapter 121A of the Massachusetts General Laws, and amendments thereto.

CHAPTER VIII: REHABILITATION

All structures in the Project Area are to be demolished with the exceptions noted below -

South Station Postal Annex and extension (now under construction)

Air shafts and control buildings for Central Artery tunnel

These structures are not in need of rehabilitation.

CHAPTER IX: ZONING DISTRICT CHANGES

Section 901: Identification of Changes

Proposed zone district changes are shown on Map 3 - Zoning Plan.

The Plan proposes two basic changes:

1. From M-2 to B-10 in the South Station property to allow for commercial re-use and prevent incompatible industrial development.

2. From M-8 to B-10 in the Dewey Square area to allow for office and commercial development.

CHAPTER X: RELATION OF PLAN TO LOCAL OBJECTIVES

Section 1001: Conformity to General Plan

The Urban Renewal Plan is in conformity with the 1965/1975 General Plan for the City of Boston and the Regional Core, as adopted by the Boston Redevelopment Authority in March, 1965, and its program for community improvements. In addition, the Urban Renewal Plan is in conformity with the General Neighborhood Renewal Plan for the downtown area of the City of Boston, as adopted by the Boston Redevelopment Authority in March, 1965.

Section 1002: Relationship to Definite Local Objectives

1. Land Use

   The Project will help achieve the local objectives of providing new and improved public transportation facilities in downtown Boston as well as new commercial space and parking facilities. The new uses will be supported by appropriate project improvements, including pedestrian distribution systems.

2. Traffic Improvements

   The Plan will enable improvements to be made to the overall street system of the Project Area in order to achieve a more efficient flow of traffic and thereby encourage economic growth. In addition, the Plan will provide a significant increase in off-street parking facilities as well as off-street loading for the distribution of goods and merchandise. It will thus meet the local objectives of reducing congestion and accidents, improving traffic flow, and providing suitably located parking facilities.

3. Improvement of Public Utilities

   The Urban Renewal Plan proposes the relocation, abandonment, or replacement as necessary of all existing substandard, inadequate underground

public utilities with new underground lines adequate in capacity and flow and in conformance with local standards.

4. Recreation and Community Facilities

The Plan will provide a new transportation center for the City of Boston. In addition, the Plan will provide a system of pedestrian malls and walkways for the convenience of shoppers and visitors. These goals are an important part of the planning objectives of the area.

CHAPTER XI: ANTI-DISCRIMINATION PROVISIONS

Section 1101: Compliance with Anti-Discrimination Laws

All property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management, or occupancy of real property within the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws, and amendments thereto, and to all other applicable federal, state, and local laws prohibiting discrimination or segregation by reason of race, color, sex, religion, or national origin.

CHAPTER XII: MODIFICATION AND TERMINATION

Section 1201: Modification

This Plan may be amended at any time by the Authority, provided, however, that:-

1. Any amendment which in the reasonable opinion of the Authority substantially or materially alters or changes the Plan shall be subject to the Federal, State and local approvals then required by law;

2. No amendment to any provision of Chapter VI of the Plan shall be effective with respect to any land which the Authority has then disposed of or contracted to dispose of without the consent of the other party to such disposition or contract, or such other party's successors or assigns; and

3. If this Plan is recorded with the Suffolk Registry of Deeds, no such amendment shall be effective until the amendment is also so recorded.

Section 1202: Termination

The provisions and requirements established in this Urban Renewal Plan shall be maintained in effect for a period of forty (40) years from the date of the original approval of the Urban Renewal Plan by the City Council and Mayor of the City of Boston, except for Sections 1101 and 1102 which shall remain in effect for one hundred (100) years from said date.